

Appl. No. : 10/020,484
Filed : December 12, 2001

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REMARKS

In the Office Action, the Examiner rejected Claims 1-18 under 35 U.S.C. § 102(e). By this paper, claims 1, 7, 11, 15 and 18 have been amended. Claim 17 has been deleted. Consequently, Claims 1-16 and 18 remain under consideration. Support for the amendments to the claims can be found, for example, in original Claim 7 and in the drawings. Therefore, no new matter has been added. Amendment of a claim is not to be construed as a dedication to the public of any subject matter.

Claims 1-18 stand rejected under 35 USC 102(e) as being anticipated by US Patent No. 6,564,997 to Juds (referred to below as "Juds").

The Office Action alleges that:-

Juds discloses a bill acceptor mechanism for a gaming machine. The mechanism has all of the well known components the Applicant is claim which are used to accept or reject currency, see Juds figures and the beginning portion of the specification. As an aside to the main feature of the disclosed invention which is directed to an electronic security key, Juds discloses in the latter portion of the specification that it has a simple up and down counter to determine if an acceptance rate falls below a threshold value, e.g. 66.6%. If the acceptance rate is below the threshold value, an LED "tilt" illuminator is activated. This illuminator is located so as not to inform the user of its activation. Further, Juds discloses that the system can be utilized in a network environment with respect to the "tilt" illuminator means disclose therein.

With respect, the Examiner is incorrect in this contention. Firstly, Juds explicitly teaches the use of an electronic security key in a coin acceptor as opposed to a bill acceptor. Moreover, Juds specifically teaches only its use for metallic currency, tokens or the like, see column 1, lines 7-13.

Therefore, Juds does not teach a bill acceptor or a method of operating a bill acceptor of a gaming machine.

Insofar as the "tilt" mechanism of Juds is concerned, the Examiner is incorrect in alleging that this "tilt" mechanism is located so as not to inform the user of its activation. Juds clearly teaches that the "tilt" mechanism is arranged in a "candle" annunciator. The drawings clearly indicate that this candle annunciator is mounted on the top of the gaming machine cabinet of Juds. One of ordinary skill in the art will readily appreciate that, with the illustrated configuration, the candle annunciator would be well within the peripheral vision of a player of the gaming machine.

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Moreover, Juds describes, at column 10, lines 28-33, that the "tilt" illuminator illuminates a cylinder 32 with "a unique pulsing red light" to attract security personnel. Therefore, this is unlike the present invention and is most certainly not discreet. The intention of the "tilt" illuminator of Juds is to discourage fraudulent activity and it is obviously the intention of Juds that, when the "tilt" illuminator is energised, it will be seen by the person perpetrating the fraudulent activity on the gaming machine in the hope that such a person will desist.

It will also be appreciated that gaming machines are often located in low light situations where the energising of the "tilt" illuminator will be readily visible, not only to the player of the specific gaming machine but to players of surrounding gaming machines as well. Thus, players of the surrounding gaming machines will also be disturbed by the "unique pulsing red light".

In contrast, in the case of the present invention, the indicator for indicating an unacceptable bill acceptance rate is located in the receiving zone of the bill acceptor and merely relates to a change in pattern. It is most likely that even the player of the gaming machine will not notice this change in pattern but it would still be observed by personnel of the venue in which the gaming machine is located merely walking past the gaming machine. Thus, a player of the gaming machine in question is not likely to be disturbed by or even aware of the operation of the annunciator of the present invention.

As Jud explicitly teaches, the use of the "tilt" illuminator is specifically to avoid fraudulent activity and to alert security personnel when such fraudulent activity occurs. In this regard, reference is made to column 3, lines 26-28 of Juds as well as to column 9, lines 50-55 and column 10, lines 3-16. As an example, Juds describes at column 2, lines 35-39 that the purpose of the "tilt" illuminator is to prevent the use of "slugs", i.e., a device manufactured to imitate a desired coin.

Importantly, Juds teaches that, when the "tilt" illuminator is flashing, the coin acceptor of the gaming machine self-inhibits acceptance of other coins. Thus, while the "tilt" illuminator is flashing the gaming machine is inoperative (column 10, lines 47-49). Not only will this cause irritation to the player of that gaming machine, the flashing "tilt" illuminator will cause irritation to players of neighbouring machines and the venue loses money while the gaming machine in question is out of service. This problem does not occur with the Applicant's invention.

In fact, the present invention is seized with a different problem entirely from Juds. Often, a player may tender an old note. The note may be crumpled, faded or have corners torn off but,

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in all other respects, is legal tender. Due to the inferior physical condition of the note, the bill acceptor may reject the note.

The purpose of the bill acceptor of the present invention is not primarily to discourage the use of counterfeit notes but, rather, to enable a player to tender whatever form of payment of the player likes. Thus, if a player only has notes and does not have coins available the venue would like the player to make use of those notes without the irritation of the notes being rejected. This is the primary purpose of monitoring the bill acceptance rate of the gaming machines. It is to avoid irritation to the player.

It is well established that, to qualify as an anticipatory document, a citation must disclose all the features of the claim, whether explicitly or implicitly. Juds does not satisfy this requirement. Juds does not disclose either explicitly or implicitly a bill acceptor and, consequently, the monitoring of a bill acceptance rate. Juds is specifically addressed to problems associated with metallic coins, tokens, etc. Equally importantly, Juds does not disclose that the annunciator is within the receiving zone for the bill acceptor.

In the circumstances, it is respectfully submitted that the present invention is novel over the teachings of Jud under the requirements of 35 U.S.C. § 102(e). Moreover, Jud, in fact, teaches directly away from the present invention due to the fact that it teaches the self inhibiting of acceptance of other coins while the "tilt" illuminator is flashing. This is one of the things the present invention is trying to avoid.

For the reasons given above, problems associated with fraudulent or counterfeit coins are very different from those associated with notes. The present invention has the further advantage over Juds that, when a bill acceptance rate is deemed to be below the threshold, the manner of alerting personnel is extremely discreet and is unlikely to cause irritation to players.

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SUMMARY

Applicant has fully responded to each matter of substance raised in the Office Action and believes that the case is in condition for allowance. Withdrawal of the rejections and allowance of the application is therefore courteously solicited. Should the Examiner have any requests, questions or suggestions, the Examiner is respectfully requested to contact Applicant's undersigned representative at the number listed below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/28/04

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